

**APPENDIX III**

**EXECUTIVE MESSAGES**

**TO THE**

**SENATE**

**OF THE**

**TENTH LEGISLATURE**

**SECOND CALLED SESSION**

Austin, October 27, 1864  
Executive Department<sup>21</sup>

Senators and Representatives:

I herewith place before you a copy of an Act of Congress approved February 16, A.D. 1864. There is no law of the State authorizing the appointment of an officer for the objects contemplated by that law, and it is for you to determine the propriety of making provision for such appointment. I would respectfully suggest, however, that one officer could not discharge the duties contemplated by the law of Congress, situated as this military department is, in regard to the states east of the Mississippi River.

If such officers are deemed necessary and useful, provisions should be made for appointing one for the east and one for the department west of the river.

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Executive Office  
Austin, October 31, 1864

Senators and Representatives:

I place before you a communication from His Excellency Henry W. Allen, Governor of the State of Louisiana, and respectfully invite your attention to its contents.

This subject was urged upon my attention by His Excellency in previous letters, but he was informed that there was no authority of loss for receiving into the Penitentiary convicts from another State. I see no objection to extending this courtesy to the State of Louisiana at the present time.

Executive Office  
Shreveport, Louisiana  
October 21, 1864

His Excellency Governor P. Murrah  
Sir:

I have the honor to request that your Excellency recommend to the Legislature of Texas at its current session the passage of an act permitting Louisiana convicts to be confined in your Penitentiary, wholly at the expense of this State, until a suitable place of confine-

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<sup>21</sup>From Executive Record Book No. 280, 1863, 1865, pp. 152-166 (Archives Division, Texas State Library).

ment and punishment can be provided or until the termination of the war.

Your Excellency is aware, as are doubtless the honorable members of the Texas Legislature, that the extensive and well appointed Penitentiary of Louisiana was destroyed by the enemy in 1862, and its inmates to the number of five hundred or more were discharged. Those convicted in the Penitentiary have necessarily been consigned to our parish jails. These latter are insecure and without the appliances necessary to putting in force the labor portion of their punishment.

For any information that may be required on this subject, I beg leave to refer you to my commissioner, the Honorable F. H. Farrar. Earnestly hoping that this request will receive your Excellency's favorable and early consideration, I remain,

Very respectfully your obedient servant,  
Henry W. Allen  
Governor of Louisiana

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Executive Department  
Austin, Texas, October 31, 1864

Senators:

I have this day appointed Colonel John Burk of Marshall in the County of Harrison in the State of Texas, Adjutant and Inspector General, vice Colonel D. B. Culberson, resigned to which I respectfully ask your advice and consent.

Respectfully,  
Pendleton Murrah  
November 1, 1864

Unanimously confirmed.

P. DeCordova, Secretary of the Senate

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Executive Department  
Austin, Texas, November 3, 1864

Senators:

I have the honor to submit the following appointments of Notaries Public, to which I respectfully ask your advice and consent.

Austin County

J. P. Osterhaut, re-appointed

**Bexar County**

Julius Hayer, vice E. H. Florian  
Andrew Dove, vice Julius Haffuer

**Burleson County**

James Floyd, re-appointed  
R. M. Dixon, vice James S. Holliday

**Cooke County**

Lemuel Gooding, vice J. E. Hughes

**Colorado County**

Wesley Smith, vice H. E. Jorat  
R. J. Putney, vice Clement Allen

**Angelina County**

Thomas B. Windham, vice J. W. Guinn

**DeWitt County**

Achilles Stapp, vice Oliver H. Stapp

**Ellis County**

Valentine Sevier, vice M. M. Knight

**Fort Bend County**

John Fletcher, vice Charles H. Kendall  
George H. Schley, vice Benjamin F. Atkins  
David Ferguson, vice John H. Wright  
Preston Perry, vice Ira Fuller  
Thomas W. DeWitt, vice John W. Crump

**Fayette County**

William P. Smith, vice William Gorham  
William B. Anderson, vice Robert Zapp  
A. B. F. Kerr, vice U. Gregory

**Freestone County**

Joseph Lynn, re-appointed

**Grayson County**

J. D. Dumas, vice George W. Newsome

**Gonzales County**

Robert S. Miller, vice Benjamin F. Batchelor

**Grimes County**

John Smith, vice Hiram R. Freeman  
James Nowlin, vice L. S. Mooring

**Hays County**

Ransom G. Blanton, original appointment

**Hopkins County**

William M. Ewing, vice Charles G. Lyon

**Hill County**

John P. Bailey, vice J. R. Grover

## Lamar County

Philip Miles, vice H. H. Henderson

## Leon County

John C. Glover, vice Henry M. Cook

## Limestone County

B. F. Lynn, re-appointed

## Menard County

P. Caughlin, original appointment

William Taylor, original appointment

## Live Oak County

Robert Dougherty, original appointment

## Panola County

Joseph J. Wilson, vice John M. Vauker

D. D. Howard, vice Alexander Birdsong

James M. Langtry, vice Thomas Ellison

## Polk County

Daniel S. Jeagers, vice Daniel Jeagers

J. W. Moore, vice Daniel S. Jeagers

Alexander Johnson, vice John Mann

## Rusk County

N. G. Bagby, re-appointment

## Sabine County

Gilbert Mackechney, vice Philip F. Beddo

## Shelby County

Thomas F. Brittain, vice Elkana Samford

Thomas P. Pain, vice Joshua W. Hooper

## Smith County

Rufus R. Collier, re-appointment

Samuel Pinkerton, re-appointment

Joseph S. McKey, re-appointment

D. F. Bancroft, re-appointment

## Titus County

Henry Jones, vice A. G. Hamilton

Alexander Glass, vice Elam Riddle

James Smith, vice Campbell English

H. S. Cherry, vice Seborn Bickerstaff

## Travis County

E. Stockton

Nelson Rector, vice P. Priestley

## Uvalde County

J. M. McCormick, vice James H. Tucker

William E. Pafford, original appointment

## Upshur County

J. W. Wright, vice J. E. Harrison

## Victoria County

R. H. Coleman, vice John S. Nicholson

Samuel Gaylord, vice James A. Moody

## Walker County

Joseph Werner, re-appointment

William E. Watkins, vice Henry Beaham

## Williamson County

Thomas Chapman, vice W. C. Dalrymple

Respectfully,

Pendleton Murrah

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Executive Department

Austin, Texas, November 3, 1864

## Senators:

In response to the resolution adopted by the Senate asking for a statement exhibiting fully what action has been had under the act to raise \$2,000.00 or so much thereof, approved December 10, 1863, and also an act providing for the purchase of cotton by the State, approved December 16, 1863, I respectfully refer your honorable body to an answer, in part, to this interrogatory to my message delivered on May 11 last to the Extra Session of the Legislature in which I fully explained the course pursued by me under the two laws referred to, and gave my reasons for so doing. And I also refer you to answers made by me on this subject on May 17 in response to resolutions adopted when you were in session in May last.

As to the course pursued by me with reference to the contracts made under the plan adopted for procuring cotton, explained in the message referred to since you were in session before. I respectfully invite your attention to Exhibits (A) and (B) which accompanied my regular message to the present session of the Legislature.

As to who purchased Bonds, it will be seen by examining the official papers referred to that only those obtained Bonds who furnished cotton. In other words, the cotton, it will be seen, is to be sold and bonds given in exchange for the amount of specie which it may bring. The papers contained in Exhibit (B) furnished by the Texas Loan Agency at Eagle Pass and Laredo, will explain to

some extent the practical operation of this plan at those points on the Rio Grande. No Bonds as yet have been issued, nor will they be until certificates of the sales of cotton and the amount due the claimant are presented and filed. Then the bonds will be issued.

As to the amount of money received under this cotton plan and paid into the Treasury and the disposition of it, I respectfully refer you to Exhibit (A) from the office of the Treasurer.

I regret to be unable to place before you the full amount of cotton received under this plan on the Rio Grande, the amount still on hand, and the amount disposed of, together with an estimate of what may be realized to the State. I expected this information before this, and had instructed Colonel Nichols, the agent of the State, to furnish it. It will be seen that it has been only partially received if forwarded, although Colonel Nichols has assured me it should be finished at the earliest practicable moment.

Captain John S. Williams, who has been assisting Colonel Nichols at Eagle Pass, informs me that he has forwarded full statement of the transactions of the office at that place, but they have been received only in part, as you will see by the papers contained in Exhibit (B).

As to the persons from whom cotton was purchased, it will be at once seen by you that I cannot furnish the information, since so many of these contracts have been abandoned upon the appeal made by me to the contractors after my conference with General Smith in July last, shown by Exhibit (B), accompanying my message to the Legislature at its present session, nor can it be furnished until complete lists are furnished of the names of those who may deliver cotton upon their contracts upon the Rio Grande.

The papers from the offices at Eagle Pass and Laredo contained in Exhibit (B), will furnish many of these names. In connection with the information which I furnished in response to question propounded by you when in session in May last, I placed before your honorable body all the information in my possession from the agent of the State in relation to those who had entered into contracts.

In conclusion, I would say that my directions are positive to the State Agent to close this whole cotton transaction as soon as practicable, and make full returns thereof.

Pendleton Murrah

## Executive Department

Austin, November 8, 1864

## Senators and Representatives:

It has been frequently represented to me from the Headquarters of the District of Texas, New Mexico and Arizona, that sheriffs failed to report to the Labor Bureau runaway slaves in their custody who are in the employ of the Confederate government.

The act approved April 8, 1861, which controls this subject and virtually repeals all other laws upon it, does not require of the sheriffs to inform the owners except by publication in a newspaper of the imprisonment in jail of his runaway slaves. The consequence of this failure promptly to report to the Labor Bureau the fact that a runaway slave in government has been placed in jail results not only in the loss of the labor of the slave to the government but often in the loss of the slave to the owner, resulting from long imprisonment.

Sometime since, I addressed a circular to the sheriffs of the different counties requesting them to report promptly to the Labor Bureau such runaway slaves that might be in their custody, and who were in government employ. But this request carried with it no legal obligation upon the sheriff.

As newspapers are now scarce in the state and their circulation uncertain and limited, I think that good would be accomplished by making it obligatory upon sheriffs and all others having possession of a runaway slave to make known the fact to the owner or proper custodian of the slave by letter as early as possible, or by some other means not involving expense.

I do not advise repeal of the law which requires the publication of runaway slaves in newspapers, but only suggest this as an additional means of ensuring to the owner or proper controller speedy information as to the arrest and detention of the slave.

There are also complaints made at the fees for the arrest and detention of runaway slaves are required by sheriffs to be paid in specie, or its equivalent in Confederate money, at its market value. It is urged that this exaction is onerous, as it requires a large amount of Confederate money to pay such charges.

I submit for your consideration in connection with this



paper an extract from the letter of Major General Walker upon this subject, and also a letter of Captain H. McKay of the Negro Labor Bureau. I do not know that any remedy can be provided, but it was proper that the subject in the present condition of the country and of the currency should be fully considered, particularly as there are so many slaves in the employ of the government, and if they are injured by long imprisonment in the jails, the loss will fall on the owner.

Pendleton Murrah

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Executive Department

Austin, Texas, November 11, 1864

Senators:

I have this day appointed the following named parties Notaries Public, to which I respectfully ask your advice and consent:

**Anderson County**

William R. Rogers, vice John Wolverton, Jr.

**Austin County**

C. C. Hock, vice D. J. Parker

**Burnett County**

Josiah Fowler, original appointment

\_\_\_\_\_ Ainsworth, original appointment

William Davidson, original appointment

**Davis County**

J. J. Williams, original appointment

J. M. C. Connally, original appointment

**Harris County**

Algernon P. Thompson, vice James W. Wynne

**Houston County**

James R. Bracken, re-appointment

**Jasper County**

Moses C. Moulton, re-appointment

**Goliad County**

W. C. Cartright, original appointment

**Bee County**

James G. Cleary, original appointment

**Hays County**

Albert Heaton, vice W. O. Hutchison

**Liberty County**

James E. DeBlanc, vice John H. Robb

George W. Tubbs, vice P. B. Worsham

## Newton County

William J. Hines, vice John Moore

A. B. McMahon, vice David McMahon

W. C. Gilchrist, vice Dector Ford

## Nacogdoches County

Henry Pool, vice John R. Clute

A. A. Nelson, vice W. W. Barrett

A. Stephens, vice S. T. Barrett

W. H. Rumbolt, original appointment

Duncan Crisp, vice M. W. Burk

## Orange County

Lastis Vincet, vice W. B. Ellis

## Polk County

R. T. Walker, re-appointment

## Red River County

Wiley W. Giddings, re-appointment

Francis M. Simons, re-appointment

Respectfully,  
Pendleton Murrah